

1  
2 IN THE UNITED STATES DISTRICT COURT  
3  
4 FOR THE NORTHERN DISTRICT OF CALIFORNIA

5 Bovis Lend Lease, Inc.,

No. CV07-05262 JSW

6 Plaintiff,

7 **ORDER SCHEDULING TRIAL AND**  
8 **PRETRIAL MATTERS**

9 v.

10 MBH Architects, Inc.,

11 Defendant.  
12 \_\_\_\_\_/

13 Following the Case Management Conference, IT IS HEREBY ORDERED that the Case  
14 Management Statement is adopted, except as expressly modified by this Order. It is further  
15 ORDERED that:

16 **A. DATES**

17 Trial Date: 4/20/2009, at 8:30 a.m., 10 - 20 days

18 Pretrial Conference: Monday, 3/30/2009, at 2:00 p.m.

19 Last Day to Hear Dispositive Motions: Friday, 1/16/2009, 9:00 a.m.

20 Close of ALL Discovery: 12/15/2008

21 **DISCOVERY**

22 The parties are reminded that a failure voluntarily to disclose information pursuant to  
23 Federal Rule of Civil Procedure 26(a) or to supplement disclosures or discovery responses  
24 pursuant to Rule 26(e) may result in exclusionary sanctions. Thirty days prior to the close of  
25 non-expert discovery, lead counsel for each party shall serve and file a certification that all  
26 supplementation has been completed.  
27  
28

### C. ALTERNATIVE DISPUTE RESOLUTION


By agreement of the parties, this matter is referred to private ADR, to be completed by July 13, 2008, if possible. The parties shall promptly notify the Court whether the case is resolved.

#### D. PROCEDURE FOR AMENDING THIS ORDER

No provision of this order may be changed except by written order of this court upon its own motion or upon motion of one or more parties made pursuant to Civil. L. R. 7-1 or 7-1-(b) without a showing of very good cause. If the modification sought is an extension of a deadline contained herein, the motion must be brought before expiration of that deadline. The parties may not modify the pretrial schedule by stipulation. A conflict with a court date set after the date of this order does not constitute good cause. The parties are advised that if they stipulate to a change in the discovery schedule, they do so at their own risk. The only discovery schedule that the Court will enforce is the one set in this order. Additionally, briefing schedules that are specifically set by the court may not be altered by stipulation; rather the parties must obtain leave of Court.

**IT IS SO ORDERED.**

Dated: January 29, 2008

  
JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE